From Silence to Support: The Role of POSH Committees

Introduction

Workplaces should be spaces of dignity, safety, and equal opportunity. Yet for many, especially women, professional environments remain shadowed by the persistent threat of sexual harassment. The silence surrounding this issue often stems from fear—fear of not being believed, fear of retaliation, or fear of professional setbacks.

Recognizing the urgent need to move from silence to support, the Indian government introduced the **Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013**, widely known as the **POSH Act**. This landmark legislation made it mandatory for organizations to establish mechanisms for addressing complaints and creating awareness around workplace safety. At the core of this framework is the Internal Committee (IC), commonly referred to as the **POSH Committee.**

This blog explores the crucial role played by POSH committees in ensuring workplace justice, and how organizations are helping build safer, more inclusive spaces for all.

What is a POSH Committee?

A POSH Committee is a legally mandated body within organizations that investigates complaints of sexual harassment and ensures compliance with the POSH Act, 2013. According to the law, every workplace with 10 or more employees must constitute this committee.

Key Features of a POSH Committee:

- **Gender-balanced and impartial**: At least half of the members must be women, and one external member must be from an NGO or a body that is experienced in women's rights.
- **Independent and fair**: The committee must ensure confidentiality and avoid conflicts of interest.
- **Empowered to act**: The IC can summon documents, call witnesses, and recommend disciplinary action.

The POSH Committee is not just a procedural requirement; it is a pillar of organizational accountability and an assurance to employees that their concerns will be heard without prejudice.

Why POSH Committees Are Essential

1. Creating a Safe Reporting Environment

Many survivors of workplace harassment choose silence over speaking up. This silence is often born from institutional inaction or fear of losing livelihood. An active and sensitized POSH Committee changes this dynamic by offering a clear, confidential, and just process for redressal.

- Timely hearings and investigations offer psychological relief and resolution.
- Non-retaliation clauses protect complainants from professional backlash.
- Supportive environments encourage survivors to come forward and speak up.

2. Enforcing Legal Compliance

Non-compliance with the POSH Act can lead to hefty penalties and loss of credibility. The POSH Committee ensures that:

- All cases are investigated within 90 days.
- Annual reports are filed to appropriate authorities.
- Organizations implement recommendations, whether it involves disciplinary action, apologies, or transfers.

Failure to comply with POSH guidelines can attract fines up to ₹50,000 and even cancellation of business licenses for repeated violations.

3. Promoting a Culture of Respect

The mere presence of a POSH Committee is not enough. A proactive committee educates, empowers, and evolves organizational culture through:

- Regular awareness sessions and training for all employees.
- Sensitization of leadership and HR on handling complaints with empathy.
- Clear workplace policies that define what constitutes harassment.

Over time, these measures contribute to healthier interpersonal dynamics, increased trust, and improved productivity.

Implementation Challenges in India

Despite clear legal mandates, the effective functioning of POSH Committees faces real-world barriers such as:

- **Lack of awareness**: Many employees don't know their rights or the presence of a committee.
- **Token compliance**: Some companies form committees to meet formal requirements but do not train members.
- **Bias or lack of neutrality**: Internal power dynamics may influence decisions.
- **Inadequate external members**: Qualified external members with legal or gender justice expertise are often hard to find.

To overcome these challenges, organizations are increasingly turning to expert support services and NGOs to ensure their POSH framework is not just compliant, but impactful.

Case Study: Spherule Foundation's POSHHELP Initiative

Background

Founded by Dr. Geeta Bora, Spherule Foundation is known for its commitment to human rights, gender equity, and social justice. With extensive experience in public health, education, and community outreach, the organization identified a critical gap in workplace safety and compliance—particularly among SMEs, educational institutions, and government bodies.

To address this, Spherule launched **POSHHELP**—a specialized initiative to support organizations in preventing and redressing workplace sexual harassment.

Objectives

POSHHELP is built around four core goals:

- **Empowering employees** with knowledge of their rights and responsibilities.
- **Helping organizations comply** with the POSH Act through proper documentation and training.
- **Establishing and guiding Internal Committees**, including providing experienced external members.
- **Fostering inclusivity** by offering sessions on **Diversity, Equity & Inclusion (DEI)**, **LGBTQIA+ sensitivity**, and **cyber safety**.

Key Services

1. Formation and Capacity-Building of ICs

Spherule assists in setting up Internal Committees from scratch. It ensures:

- Gender diversity
- Transparent selection processes
- Detailed training on legal procedures, emotional intelligence, and confidentiality

External members from Spherule are equipped with both legal knowledge and social empathy, ensuring unbiased proceedings.

2. Policy Drafting and Compliance Kits

POSHHELP provides customized:

- Sexual Harassment Policies
- Standard Operating Procedures (SOPs)
- Audit checklists for annual reviews and government submissions

3. Training and Awareness Programs

POSHHELP has conducted hundreds of:

- Sensitization workshops for employees across sectors
- Workshops on digital safety, anti-corruption laws, and bribery policies
- Leadership briefings to equip management with preventive strategies

4. Inclusion and Mental Health Support

Recognizing the mental toll of harassment, POSHHELP also:

- Links survivors to Employee Assistance Programs (EAPs)
- Offers mental health referrals and legal aid guidance

Best Practices for Organizations

Whether you are a startup, school, MNC, or government body, here's how you can strengthen your POSH framework:

1. **Establish a qualified POSH Committee** with internal and external members.
2. **Publish and circulate policies** in simple language.
3. **Train all employees and management** regularly.
4. **Encourage open dialogue** and feedback channels.
5. **Partner with NGOs or external experts** for audits and advanced training.
6. **Track and report data** transparently and responsibly.

An aware and sensitized team is the first line of defence.